



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

February 2, 2012

Debbie A Dexter
8751 State Route 410
Naches WA 98937-9499

Re: Water Right No. CS4-01650sb16

Dear Ms. Dexter:

Enclosed is a Rescinding Order which rescinds the rejection notification dated January 10, 2012 for your change application. If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

Mark Kemner, LHG
Section Manager
Water Resources Program

MK:TM:gh
120204

Enclosures: *Rescinding Order*
Water Resources Program Guidance 2040

By certified mail: 7007 2560 0001 9535 7487

Order Cover.doc



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<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>DEBBIE A DEXTER 8751 STATE ROUTE 410 NACHES, WA 98937-9499</p> <p>WR/gh CS4-01650sb16 (add'l signatures)</p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <i>Debbie Dexter</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Debbie Dexter</i> C. Date of Delivery <i>2/22/12</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>FEB 22 2012</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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Department of Ecology
Central Region Office
15 West Yakima Avenue, Suite 200
Yakima WA 98902-3452



**BEFORE THE
DEPARTMENT OF ECOLOGY
STATE OF WASHINGTON**

IN THE MATTER OF AN)
ADMINISTRATIVE ORDER)
TO REJECT CHANGE)
APPLICATION NO. CS4-01650sb16)

Rescinding Order
Docket No. 8987

TO: Debbie A. Dexter
8751 State Route 40
Naches, WA 98937-9499

On September 9, 2011, Debbie A. Dexter submitted an application to enter a water right into the Trust Water Right Program for Yakima River Basin Adjudication Sub Basin 16 Court Claim No. 01650. That application was given file number CS4-01650sb16.

On September 15, 2011, Ecology returned No. CS4-01650sb16 to the applicant requiring additional signatures from other landowners within the confirmed place of use authorized under Court Claim No. 01650 (see enclosed Water Resources Program Guidance 2040). The September 15th notification required that the application and the additional signatures be returned to Ecology on or before November 14, 2011 or the application would be rejected.

On January 10, 2012, Ecology issued a rejection notification for No. CS4-01650sb16 with a 30 day appeal period. On January 25, 2012, Debbie Dexter notified Ecology via email that attempts were still being made to find, locate, and contact the landowners within the place of use confirmed under Yakima River Basin Adjudication Sub Basin No. 16 Court Claim No. 01650 for the signatures required for the application.

This Order rescinds the January 10, 2012 rejection notification under the condition that the applicant will return the application with the appropriate signatures to Ecology within 60 days of the receipt of this Order, or Ecology will initiate the rejection process again. Thereafter, a new application would be required.

This decision may be appealed pursuant to RCW 34.05.514(3), RCW 90.03.210(2), and Pretrial Order No. 12 entered in *State of Washington, Department of Ecology v. James Acquavella, et al.*, Yakima County Superior Court No. 77-2-01484-5 (the general adjudication of surface water rights in the Yakima River Basin). The person to whom this decision is issued, if he or she wishes to file an appeal, must file the Notice of Appeal with the Yakima County Superior Court **within thirty (30) days of receipt of this decision**. Appeals must be filed with the Superior Court Clerk's Office, Yakima County Superior Court, 128 North 2nd Street, Yakima, WA 98901, RE: Yakima River Adjudication. Appeals must be served in accordance with Pretrial Order No. 12, Section III ("Appeals Procedures"). The content of the Notice of Appeal must conform to RCW 34.05.546. Specifically, the Notice of Appeal must include:


The name and mailing address of the appellant;
Name and address of the appellant's attorney, if any;

The name and address of the Department of Ecology;
The specific application number of the decision being appealed;
A copy of the decision;
A brief explanation of Ecology's decision;
Identification of persons who were parties in any adjudicative proceedings that led to Ecology's decision;
Facts that demonstrate the appellant is entitled to obtain judicial review;
The appellant's reasons for believing that relief should be granted; and
A request for relief, specifying the type and extent of relief requested.

The "parties of record" who must be served with copies of the Notice of Appeal under RCW 34.05.542(3) are limited to the applicant of the decision subject to appeal, Ecology and the Office of the Attorney General.

All others receiving notice of this decision, who wish to file an appeal, must file the appeal with the Yakima County Superior Court within **thirty (30) days of the date the Order was mailed.** The appeal must be filed in the same manner as described above.

Dated this 2 day of February 2012.



Mark Kemner, Section Manager
Water Resources Program
Department of Ecology

MK:TM:gh
120204a

DATA REVIEW

OK

